	Application No.	Applicant(s)
Notice of Allowability		
	10/765,318 Examiner	LURIE, KEITH G. Art Unit
	Annette F. Dixon	3771
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to <u>amendment 11/13/06</u> .		
2. The allowed claim(s) is/are 1.3-6.8,9.11-14,21 and 23-25.		
 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have been received. 		
2. Certified copies of the priority documents have been received in Application No		
3. Copies of the certified copies of the priority documents have been received in this national stage application from the		
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) 🔲 including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached		
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	5. ☐ Notice₋of Informal P	atent Application
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ⊠ Interview Summary	• •
	Paper No./Mail Dat	e <u>20061114</u> .
3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 4/6/06, 4/27/06	7. 🗌 Examiner's Amendn	nent/Comment
4. L Examiner's Comment Regarding Requirement for Deposit	8. 🛛 Examiner's Stateme	nt of Reasons for Allowance
of Biological Material	9. □ _∧ Other	
$\frac{1}{2}$		
Jenn Madall		
TEENA MITCHELL PRIMARY EXAMINER		

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The prior art made of record does not teach or fairly suggest a method for modulating a person's autonomic function comprising the steps of coupling a valve system to the person's airway and permitting respiratory gases to enter the lungs when operation of the valve is within the range of –2 cm of water to –30 cm of water thereby modulating a person's autonomic function.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annette F. Dixon whose telephone number is (571) 272-3392. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jew With TEENA MITCHELL PRIMARY EXAMINER

Examiner Art Unit 3771 November 14, 2006